

Carlos Hernández
Mayor

Isis Garcia-Martinez
Council President

Luis González
Council Vice President



Council Members
Jose F. Caragol
Vivian Casáls-Muñoz
Katharine E. Cue-Fuente
Paul B. Hernández
Lourdes Lozano

City Council Summary Agenda/Minutes November 13, 2014 7:00 P.M.

Call to Order- Council **President Garcia-Martinez called the meeting to order at 7:12 p.m.**

Roll Call-

- **Council Members Present:**

- Council President Isis Garcia-Martinez
- Council Vice President Luis Gonzalez
- Councilman Jose Caragol
- Councilwoman Vivian Casáls-Muñoz
- Councilman Paul Hernandez
- Councilwoman Lourdes Lozano

- **Council Members Absent:**

- Councilwoman Katharine Cue-Fuente

- **Also present were:**

- Carlos Hernandez, Mayor
- Lorena Bravo, Acting City Attorney
- Marbelys Fatjo, Acting City Clerk

Invocation given by Marbelys Fatjo, Acting City Clerk

Pledge of Allegiance led by Councilman Paul Hernandez

Meeting Guidelines

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**

- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.

- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

The meeting guidelines were read into the record by the Acting City Clerk in English and by Carmen Hernandez, Acting Deputy City Clerk, in Spanish.

Presentations –

- Perla Tabares Hantman, Chairwoman, District 4, the School Board of Miami-Dade County addressed the Mayor and City Council regarding school board related matters, and handed the Mayor and Council Members record of schools within Hialeah undergoing renovations.
 - Mayor Carlos Hernandez recognized Eduardo J. Perez, a Police Officer recently hired by the Hialeah Police Department. Mr. Perez was publicly sworn into duty by Police Chief Sergio Velazquez.
1. Election of Council President and Council Vice President pursuant to §3.01 (c) of the Hialeah City Charter.

REPORT: Motion to Elect Isis Garcia-Martinez as Council President made by Councilman Caragol, and seconded by Councilwoman Casals-Muñoz. Motion passed. APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.

REPORT: Motion to Elect Luis Gonzalez as Council Vice President made by Councilman Caragol, and seconded by Councilwoman Casals-Muñoz. Motion passed. APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.

2. Announcement of Amendments/Corrections to the Agenda – **Items R and S were added to the agenda. The administration asked that Item 4 be continued until the Council Meeting scheduled for December 9, 2014.**
3. Consent Agenda-

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

REPORT: Council Vice President Gonzalez requested separate discussion on Item Q.

REPORT: Motion to Approve the Consent Agenda, except Item Q, made by Council Vice President Gonzalez, and seconded by Councilman Caragol. Motion passed. APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.

- A. Request permission to approve the Summary Agenda/Minutes of the City of Hialeah Council Meeting held on October 28, 2014. (OFFICE OF THE CITY CLERK) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.**
- B. Request to cancel the City Council meeting of December 23, 2014 in observance of the Christmas holiday. (OFFICE OF THE CITY CLERK) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.**
- C. Proposed resolution supporting Miami-Dade County's legislative initiative to urge the United States Congress to enact legislation that would allow states and local governments, including Miami-Dade County, to prohibit contracting with entities doing business with, or funded by, state sponsors of terrorism; and urging all federal, state and local officials to join in their support. (ADMINISTRATION) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent. RESOLUTION NO. 2014-131.**
- D. Request permission to award Hialeah Bid # 2013/14-3230-00-023 – Cultural Park – Picket Fence and Gates, to Paldama Investment, Inc. d/b/a Island Fence of Dade, lowest responsive bidder, in a total cumulative amount not to exceed \$35,000. (CONSTRUCTION & MAINTENANCE DEPT.) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.**
- E. Request permission to award Hialeah Bid # 2014/15-3230-00-020 – Cultural Park – Landscaping, to VisualScape, Inc., sole responsive bidder, in a total cumulative amount not to exceed \$545,340. (CONSTRUCTION & MAINTENANCE DEPT.) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.**
- F. Proposed resolution approving a Professional Services Agreement with Inphynet Contracting Services, Inc. for a term of three years, commencing on October 1, 2014 and ending on September 30, 2017, and for professional services from Frederick Michael Keroff, M.D., FACEP, as medical director of Hialeah Fire Department and advanced life support provider, in an annual amount not to exceed \$60,000.00, payable at a monthly rate of \$5,000.00, and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Professional Services Agreement attached hereto and made a part hereof as Exhibit "1". (FIRE DEPT.) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent. RESOLUTION NO. 2014-132.**
- G. Request permission to waive competitive bidding, since it is advantageous to the City, and issue two purchase orders to KRONOS, Inc., for costs to be paid in association with outstanding invoices for the 2014-2015 fiscal year for the service of webstaff access to Administrative Staffing (Tele-Staff) functions through the internet for Fire Operations, with one purchase order being in the amount of \$14,567.92 and the other in the amount of \$3,067.20, for a total cumulative expense amount not to exceed \$17,635.12. (FIRE DEPT.) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.**

- H. Proposed resolution approving the expenditure totaling an amount not to exceed twenty nine thousand dollars (\$29,000) from the Law Enforcement Trust Fund – *State*, to purchase two (2) canines for the Hialeah Police Department Canine Unit from Metro-Dade K-9 Services, lowest quoted vendor, upon such costs having been approved by the Chief of Police. (POLICE DEPT.) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent. RESOLUTION NO. 2014-133.**
- I. Request permission to utilize State of Florida Contract # 445-001-11-1, and issue a purchase order to W.W. Grainger Inc., to purchase hand held power tools and other hardware supplies for citywide use, in a total cumulative amount not to exceed \$80,000. (PURCHASING DIV.) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.**
- J. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Lowe's Home Improvement, LLC, in a total cumulative amount not to exceed \$40,000, and a purchase order to Maga Hardware Distributors Inc., in an amount not to exceed \$40,000, both to purchase operational supplies for citywide use. (PURCHASING DEPT.) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.**
- K. Request permission to award Hialeah Bid # 2014/15-8500-12-008 – Janitorial Supplies, to East Continental Supplies, LLC, lowest responsive bidder, in a total cumulative amount not to exceed \$175,000 for fiscal year 2014-2015, to be allocated through various City departments. (PURCHASING DEPT.) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.**
- L. Request permission to issue a purchase order to General Mow, LLC, formerly known as Groundskeepers, Inc., one of the seven companies approved by the City Council on May 8, 2012 as a qualified grounds maintenance company in response to Request for Qualifications # 2011/12-3210-12-010, for the right of way maintenance of Sector 2, in a total cumulative amount not to exceed \$79,000. (STREETS DEPT.) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.**
- M. Request permission to issue a purchase order to Mystic Gardens Lawn Contractors Inc., one of the seven companies approved by the City Council on May 8, 2012 as a qualified grounds maintenance company in response to Request for Qualifications # 2011/12-3210-12-010, for the right of way maintenance of Sector 5, in a total cumulative amount not to exceed \$66,590. (STREETS DEPT.) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.**
- N. Request permission to issue a purchase order to VisualScape, Inc., one of the seven companies approved by the City Council on May 8, 2012 as a qualified grounds maintenance company in response to Request for Qualifications # 2011/12-3210-12-010, for the right of way maintenance of Sector 4, in a total cumulative amount not to exceed \$114,900. (STREETS DEPT.) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.**
- O. Request permission to issue a purchase order to VisualScape, Inc., one of the seven companies approved by the City Council on May 8, 2012 as a qualified grounds

maintenance company in response to Request for Qualifications # 2011/12-3210-12-010, for the right of way maintenance of Sector 3, in the amount of \$76,198, in addition to \$7,800 for additional services, for a total cumulative amount not to exceed \$83,998. (STREETS DEPT.) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.**

- P. Request permission to issue a purchase order to SRS Engineering, Inc., one of the twelve firms approved by the City Council on June 8, 2010 for City engineering services in response to Request for Qualifications # 2009/10-9500-00-007, for roadway and drainage design services for West 16 Avenue between West 68 Street and West 77 Street, in a total cumulative amount not to exceed \$109,500. (STREETS DEPT.) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.**

- Q. Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City of Hialeah, to execute a Turf and Landscape Maintenance Joint Participation Agreement with the State of Florida, Department of Transportation, for the maintenance of turf and landscape on designated State Roads within the corporate limits of the City of Hialeah, for the term of one year and with an option to renew, in an amount not to exceed \$142,867.53, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit "1". (STREETS DEPT.) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent. RESOLUTION NO. 2014-134.**

REPORT: Motion to Approve Item Q made by Council Vice President Gonzalez, and seconded by Councilman Caragol. Motion passed.

- R. Request ratification of a payment made to BGA, Inc., for the emergency replacement of the chillers and cooling tower at City Hall since the air conditioning system was failing, in a total cumulative amount of \$497,758. (CONSTRUCTION & MAINTENANCE DEPT. & DEPT. OF GRANTS & HUMAN SERVICES) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.**
- S. Request from Palm Springs United Methodist Church, for a Christmas Tree Sales Permit, to sell Christmas trees from November 23, 2014 through December 20, 2014, on church grounds located at 5700 West 12 Avenue, Hialeah, Florida. (OFFICE OF THE CITY CLERK) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.**
4. Second reading and public hearing of proposed ordinance amending Chapter 70 entitled "Retirement and Pension", Article IV. Employees General Retirement System, Division 1. generally of the Code of Ordinances and in particular, revising Hialeah Code § 70-204 entitled "Termination of Membership; Effect of Reemployment" to allow for retroactive application of the right to restoration of credited service upon reemployment within ten years from the date of severance to any member reemployed on or after January 1, 2012; repealing all ordinances in conflict herewith; providing for penalties; providing for inclusion in the code; providing for a severability clause and providing for an effective date. (ADMINISTRATION) **ITEM POSTPONED UNTIL THE COUNCIL MEETING OF DECEMBER 9, 2014.**

Item was approved on first reading during the City Council Meeting of October 28, 2014.

REPORT: Motion to Postpone Item 4 until the meeting of December 9, 2014 made by Councilman Hernandez, and seconded by Council Vice President Gonzalez. Motion passed.

5. First reading of proposed ordinance amending Chapter 98 entitled “Zoning” of the Code of Ordinances and in particular amending Hialeah Code § 98-2122 entitled “Electric Fences” creating an exception from the prohibition for property in districts zoned Industrial (M); providing for height, a perimeter non-electrically charged fence surrounding the electric fence, warning signs and other restrictions applicable to electric fences; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause; and providing for an effective date. (ADMINISTRATION) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.**

Item was heard on first reading during the Council Meeting of October 28, 2014, but no vote was taken on the item as it was agreed that the proposed ordinance would be amended.

Item was withdrawn from the City Council Meeting agenda of October 14, 2014.

Item was approved by the Planning and Zoning Board on October 8, 2014.

REPORT: Motion to Approve Item 5 made by Councilwoman Casals-Muñoz, and seconded by Council Vice President Gonzalez. Motion passed. Next hearing is scheduled for November 25, 2014.

6. Armando Vidal, Director of Public Works, City of Hialeah, hosted a presentation regarding the status of the finances of the solid waste program.
7. Pursuant to Section 2-815.1 of the City of Hialeah Code, Javier Vazquez, Esq., with the Law Office of Berger Singerman LLP, in representation of Southern Waste Systems, LLC, protests to the City Council a decision of the City’s Evaluation and Selection Committee selecting the companies qualified to provide solid waste collection services to the City in response to City of Hialeah Request for Qualifications No. 2013/14-9500-00-008. **THE DECISION OF THE SELECTION COMMITTEE WAS UPHELD BY THE CITY COUNCIL (5-1-1) with Council Vice President Gonzalez voting “NO” and Councilwoman Cue Fuente absent.**

REPORT: The following documents were introduced into evidence by the Acting City Attorney, Lorena Bravo, and admitted into evidence by the Acting City Clerk, for items 7 and 8 of this agenda.

- **Exhibit 1:** Request for Qualifications: Solid Waste Collection Services RFQ No. 2013-14-9500-00-008
- **Exhibit 2:** Addendum No. 1, 2, 3 and 4 to the Request for Qualifications
- **Exhibit 3:** City’s Advertisement – August 5, 2014

- **Exhibit 4:** Memorandum from Ms. Bravo to the Mayor and the City Council regarding the Report of the Selection Committee
- **Exhibit 5:** City's Notice of Public Meeting – October 6, 2014 and the transcript of the public meeting
- **Exhibit 6:** City's Notice of Public Meeting – October 16, 2014 and the transcript of the public meeting
- **Exhibit 7:** Resume of Armando Vidal
- **Exhibit 8:** Professional experience and relevant project experience of Allison S. Trulock, HDR One Company
- **Exhibit 9:** Memorandum from David S. Dee, Gardner, Bist, Wiener, Wadsworth, Bowden, Bush, Dee, LaVia & Wright, P.A., Attorneys at Law, to Ms. Bravo regarding Hialeah's Request for Qualifications for Solid Waste Collection Services
- **Exhibit 10:** Pre-Proposal Conference Sign in Sheet
- **Exhibit 11:** City of Hialeah's Tab Sheet and RFQ packages submitted by each company in response to Bid No. 2013-14-9500-00-008

REPORT: Javier Vazquez (registered lobbyist) addressed the Council, and gave the Council Members the following two documents:

- Qualifications and experience of John Casagrande, Vice President of Business Development, SWS Recycling
- Qualifications and experience of Anthony Correnti, Chief Financial Officer, SWS Recycling

REPORT: Paul S. Figg, Esq. (registered lobbyist) with the Law Office of Berger Singerman LLP addressed the Council.

REPORT: Mark Antonelli, Esq., 420 South Dixie Highway, Coral Gables, Florida, addressed the Council in representation of the City of Hialeah.

REPORT: Allison Trulock, HDR Engineering, Orlando, Florida, addressed the Council in her capacity as a consultant hired by the City of Hialeah.

REPORT: Armando Vidal, Director of Public Works, City of Hialeah, addressed the Council.

- Alfredo L. Gonzalez, Esq., with the Law Office of Genovese, Joblove & Battista, P.A., in representation of Waste Management Inc. of Florida, has requested to **intervene** in said protest for purposes of presenting to the City Council their position on the issues under consideration in the protest proceedings.

REPORT: Mr. Gonzalez presented to the City Council, his position on the issues under consideration in the protest, and handed the Council Members his presentation, which was admitted into the record for items 7 and 8.

REPORT: Alex Gonzalez, Director, Waste Management Inc. of Florida addressed the Council.

- Robert J. Stovach, Esq., with the Law Office of Stovash, Case, Tingley, in representation of Waste Pro of Florida, Inc., has requested to **intervene** in said protest for purposes of presenting to the City Council their position on the issues under consideration in the protest proceedings.

REPORT: Amy Tingley addressed the Council,

REPORT: Ms. Bravo addressed the Council on the matter.

REPORT: Mr. Grant Smith, Esq., in representation of Progressive, addressed the Council, at the Council's request.

REPORT: Motion to Uphold the Decision of the Selection Committee made by Councilwoman Casals-Muñoz, and seconded by Councilwoman Lozano. Motion passed.

REPORT: Motion for a Resolution to remand the proposals submitted by Progressive to the Selection Committee for review made by Councilwoman Casals-Muñoz, and seconded by Council Vice President Gonzalez. Motion Passed. APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.

REPORT: Motion for a Resolution for the City Council to review the Competitive Bidding Solicitation of Solid Waste Collection made by Councilwoman Casals-Muñoz, and seconded by Councilwoman Lozano. Motion passed. APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.

8. Pursuant to Section 2-815.1 of the City of Hialeah Code, Felix Lasarte, Esq., with the Lasarte Law Firm, in representation of World Waste Recycling, Inc., protests to the City Council a decision of the City's Evaluation and Selection Committee selecting the companies qualified to provide solid waste collection services to the City in response to City of Hialeah Request for Qualifications No. 2013/14-9500-00-008. **ITEM WAS POSTPONED UNTIL THE COUNCIL MEETING OF NOVEMBER 25, 2014.**

REPORT: The item was read into the record and a recess was called for by the Council President.

REPORT: Felix Lasarte (registered lobbyist) addressed the Council, and handed the Council Members the following documents:

- Letter to Ms. Bravo sent via email.
- Qualifications and experience of Andrew L. Wilfork
- Letter to the City Clerk dated October 24, 2014

REPORT: Mike Adams, one of the three owners of World Waste Recycling, Inc., addressed the Council.

REPORT: Andrew Wilfork, retired Solid Waste Director, addressed the Council.

REPORT: Mark Antonelli, Esq., 420 South Dixie Highway, Coral Gables, Florida, addressed the Council in representation of the City of Hialeah.

REPORT: Roberto Sorosa, 4701 NW 35 Avenue, one of the three owners of World Waste Recycling, Inc., addressed the Council.

- Alfredo L. Gonzalez, Esq., with the Law Office of Genovese, Joblove & Battista, P.A., in representation of Waste Management Inc. of Florida has requested to **intervene** in said protest for purposes of presenting to the City Council, their position on the issues under consideration.

REPORT: Mr. Gonzalez addressed the Council.

- Robert J. Stovach, Esq., with the Law Office of Stovash, Case, Tingley, in representation of Waste Pro of Florida, Inc., has requested to **intervene** in said protest for purposes of presenting to the City Council, their position on the issues under consideration in the protest proceedings.

REPORT: Motion to Deny the Solid Waste Collection Services RFQ in its entirety and have the City redo the RFQ process made by Council Vice President Gonzalez. There was no second to the motion. Motion failed.

REPORT: Motion to Uphold the Decision of the Selection Committee made by Councilman Caragol, and seconded by Councilwoman Lozano. Motion failed (2-4-1) with Councilman Hernandez, Council President Garcia-Martinez, Councilwoman Casals-Muñoz and Council Vice President Gonzalez voting “NO” and Councilwoman Cue-Fuente absent.

REPORT: Motion to Postpone Item 8 until the Council Meeting of November 25, 2014 made by Councilman Caragol, and seconded by Council President Garcia-Martinez. Motion passed (4-2-1) with Councilwoman Casals-Muñoz and Council Vice President Gonzalez voting “NO” and Councilwoman Cue-Fuente absent.

9. Pursuant to Section 2.01 of the City’s Charter, Mayor Hernandez appoints Ricardo Suarez, subject to civil service rules and regulations, to the position of Chief Information Officer. (ADMINISTRATION) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.**

Item was approved by the Personnel Board on November 3, 2014.

REPORT: Motion to Approve Item 9 made by Councilwoman Casals-Muñoz, and seconded by Council Vice President Gonzalez. Motion passed.

10. Pursuant to Section 2.01 of the City's Charter, Mayor Hernandez appoints Ruben Suarez, subject to civil service rules and regulations, to the position of Occupational License Official. (ADMINISTRATION) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.**

Item was approved by the Personnel Board on November 3, 2014.

REPORT: Motion to Approve Item 10 made by Councilwoman Casals-Muñoz, and seconded by Councilman Hernandez. Motion passed.

11. Pursuant to Section 2.01 of the City's Charter, Mayor Hernandez appoints Marbelys Fatjo, subject to civil service rules and regulations, to the position of City Clerk. (ADMINISTRATION) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent.**

Item was approved by the Personnel Board on November 3, 2014.

REPORT: Motion to Approve Item 11 made by Councilwoman Casals-Muñoz, and seconded by Council Vice President Gonzalez. Motion passed.

12. Board Appointments –

- a. Re-appointment by Councilman Jose Caragol of Nilda Donahue to the Veterans Affairs Board, for a two year term commencing on November 16, 2014 and ending on November 16, 2016. (COUNCILMAN CARAGOL) **REPORT: There was no vote necessary on this item.**
- b. Proposed resolution appointing Armando Vidal as a member of the Defined Contribution Plan Committee, as the Mayor's appointment. (MAYOR HERNANDEZ) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent. RESOLUTION NO. 2014-135.**

REPORT: Motion to Approve Item 12 b. made by Councilwoman Lozano, and seconded by Council Vice President Gonzalez. Motion passed.

- c. Proposed resolution appointing Hillah Sara Mendez as a member of the Defined Contribution Plan Committee, as the Mayor's appointment. (MAYOR HERNANDEZ) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent. RESOLUTION NO. 2014-136.**

REPORT: Motion to Approve Item 12 c. made by Council Vice President Gonzalez, and seconded by Councilwoman Casals-Muñoz. Motion passed.

- d. Proposed resolution appointing Ines Beecher as a member of the Defined Contribution Plan Committee, as the Mayor's appointment. (MAYOR HERNANDEZ) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent. RESOLUTION NO. 2014-137.**

REPORT: Motion to Approve Item 12 d. made by Councilwoman Casals-Muñoz, and seconded by Councilman Hernandez. Motion passed.

- e. Proposed resolution appointing Robert Lloyd Still as a member of the Defined Contribution Plan Committee, as the Mayor's appointment. (MAYOR HERNANDEZ) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent. RESOLUTION NO. 2014-138.**

REPORT: Motion to Approve Item 12 e. made by Councilwoman Casals-Muñoz, and seconded by Councilman Hernandez. Motion passed.

- f. Proposed resolution appointing Ricardo Fernandez as a member of the Defined Contribution Plan Committee, as the Police Benevolent Association's (PBA) appointment. (PBA) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent. RESOLUTION NO. 2014-139.**

REPORT: Motion to Approve Item 12 f. made by Council Vice President Gonzalez, and seconded by Councilwoman Casals-Muñoz. Motion passed.

- g. Proposed resolution appointing Willians Guerra as a member of the Defined Contribution Plan Committee, as the International Association of Fire Fighters' (IAFF) appointment. (IAFF) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent. RESOLUTION NO. 2014-140.**

REPORT: Motion to Approve Item 12 g. made by Councilman Caragol, and seconded by Councilwoman Casals-Muñoz. Motion passed.

- h. Proposed resolution appointing Yrama Medina as a member of the Defined Contribution Plan Committee, as the American Federation of State, County and Municipal Employees' (AFSCME) appointment. (AFSCME) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent. RESOLUTION NO. 2014-141.**

REPORT: Motion to Approve Item 12 h. made by Councilman Caragol, and seconded by Councilwoman Casals-Muñoz. Motion passed.

13. Unfinished Business – **None.**

14. New Business – **None.**

15. Comments and Questions – **None.**

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.

Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

ALL WERE DULY SWORN IN.**ZONING**

PZ 1. Second reading and public hearing of proposed ordinance granting a Conditional Use Permit (CUP) to allow a beauty school (vocational school) with a total maximum occupancy of 45 persons at any time the school is in operation, inclusive of students, staff, instructors, employees and guests, pursuant to Hialeah Code §98-181(2)i, on property zoned C-2 (Liberal Retail Commercial District). **Property located at 5090 West 12 Avenue, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: G & D Properties LLC – Gladys Martinez; Registered Lobbyist: Jorge Lastayo*) **APPROVED (6-0-1) with Councilwoman Cue-Fuente absent. ORDINANCE NO. 2014-62.**

<i>Item was approved on first reading during the City Council Meeting of October 28, 2014.</i>
<i>Item was approved by the Planning and Zoning Board on October 22, 2014 with the condition that the maximum occupancy be limited to 45 persons.</i>

REPORT: Item was removed from its order of business and heard preceding the Administrative portion of the agenda.

REPORT: Motion to Approve Item PZ 1 made by Council Vice President Gonzalez, and seconded by Councilman Hernandez. Motion passed.

NEXT CITY COUNCIL MEETING: Tuesday, November 25, 2014 at 7:00 P.M.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: November 25, 2014 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing

impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).